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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/104,297	06/24/1998	RICHARD JAMES HUMPLEMAN	2810-044	4083

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EXAMINER

BASHORE, WILLIAM L

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 03/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/104,297

Applicant(s)

HUMPLEMAN ET AL.

Examiner

William L. Bashore

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: RCE and amendment, both filed 12/30/2002, to the original application filed 6/24/1998, with provisional application filing dates of 9/22/1997, and **6/25/1997**.

Applicant swears behind the date of **6/10/1997**. IDS filed 6/11/2002.

2. Claims 1-4, 6, 8 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatraman and Hanson.

3. Claims 5, 7 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatraman, Hanson, and Reber.

4. Claims 1-8 are pending. Claim 1 is an independent claim.

Continued Examination Under 37 CFR 1.114

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/30/2002 has been entered.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-4, 6, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatraman et al. (hereinafter Venkatraman), U.S. Patent No. 5,956,487 issued September 1999, in view of Hanson, U.S. Patent No. 6,148,346 issued November 2000.

In regard to independent claim 1, Venkatraman teaches:

- a home automation network comprising an interface for accessing connected home devices

(Venkatraman Figure 3, column 3 lines 27-33; compare with claim 1 “*A method for providing....comprising the steps of*”).

- Venkatraman does not specifically teach a “*device link file*” associated with connected home devices.

However, Hanson teaches a GUI displaying an object list (file) of available network devices (Hanson Figure 5, column 5 lines 36-40; compare with claim 1 “*generating a device link file, wherein the device link file identifies home devices that are currently connected to the home network*”, and “*identified in the device link file*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Hanson to Venkatraman web page generation, because of Hanson’s taught advantage of itemizing, so as to provide Venkatraman the benefit of indicating to a user all available devices on a network (a complete list).

- accessing connected home devices using Web technology so that access is independent of an operating system platform and browser software, as well as independent of the location of the user (Venkatraman column 2 lines 36-42). Venkatraman also teaches generating a web page dynamically to reflect the updated state of the information pertaining to a device maintained by a monitor (Venkatraman column 3 lines 33-36), suggesting autonomous generation since it is dynamically updated without user help, providing the benefit of automatic updating to reflect changing device parameters (compare with claim 1 “*... in an autonomous manner*”).

- a self contained home network comprising inter-communication links and a web browser enabling communication with a set of devices (Venkatraman Figures 2, 3, column 3 lines 36-40, column 5 lines 29-40, 46-51; compare with claim 1 “*creating a device link page*”). Venkatraman also teaches a textual representation

of a corresponding connected device (a printer name) (Venkatraman Figure 3 item Printer Name, Portdv9; compare with claim 1 “*at least one graphical or textual representation of corresponding devices*”).

- a set of user interface functions written in HTML, said functions associated with a device on a network (Venkatraman Figure 3, column 5 lines 36-42; compare with claim 1 “*associating a hyper-text link with each device representation....that is associated with the device representation*”). Venkatraman also teaches a Web page contained in the associated device (Venkatraman Figure 1B items 10, 18, which is indicative of device item 10 in Figure 2; compare with claim 1 “*contained in the device*”).

- display of device information on a network browser (Venkatraman Figure 3; compare with claim 1 “*displaying the device link page on a browser based device.*”).

In regard to dependent claim 2, Venkatraman teaches a home device connected to a home network, as well as a link page. Venkatraman does not specifically teach associating/retrieving a logical name stored in a device link file, as well as icons. However, Hanson teaches a listing of available devices, each device comprising a logical name (i.e. HDE/Meister, HDE/Gerry), to which a device is user selected and is represented by various GUI buttons associated with a status icon (Hanson Figures 3-5, column 5 lines 25-40; compare with claim 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Hanson to Venkatraman, because of Hanson’s taught advantage of user selection, providing Venkatraman a way to customize a home network.

In regard to dependent claim 3, Venkatraman teaches a home device connected to a home network, as well as a link page. Venkatraman does not specifically teach associating/retrieving a logical name stored in a device link file, as well as icons. However, Hanson teaches a listing of available devices, each device comprising a logical name (i.e. HDE/Meister, HDE/Gerry), to which a device is user selected and is represented by various GUI buttons associated with a status icon (Hanson Figures 3-5, column 5 lines 25-40; compare with claim 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Hanson to Venkatraman, because of Hanson's taught advantage of user selection, providing Venkatraman a way to customize a home network.

In regard to dependent claim 4, Venkatraman teaches a home device connected to a home network, as well as a link page. Venkatraman does not specifically teach associating/retrieving a logical name stored in a device link file, as well as icons. However, Hanson teaches a listing of available devices, each device comprising a logical name (i.e. HDE/Meister, HDE/Gerry), to which a device is user selected and is represented by various GUI buttons associated with a status icon (Hanson Figures 3-5, column 5 lines 25-40; compare with claim 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Hanson to Venkatraman, because of Hanson's taught advantage of user selection, providing Venkatraman a way to customize a home network.

In regard to dependent claim 6, Venkatraman teaches a home based network enabling a web browser to access user interface functions via URL's, said URL's can be embedded within an appliance (Venkatraman column 5 lines 29-42, column 8 lines 1-8; compare with claim 6).

In regard to dependent claim 8, Venkatraman teaches a method whereby web server queries a device, and in response, the targeted device transfers an HTML file that defines its device web page (Venkatraman column 7 lines 37-46; compare with claim 8).

8. **Claims 5, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatraman and Hanson as applied to claim 1 above, and further in view of Reber et al. (hereinafter Reber), U.S. Patent No. 5,398,726 issued August 1999.**

In regard to dependent claim 5, Venkatraman teaches a user defined area (Venkatraman Figure 3). Venkatraman does not specifically teach a method of receiving a device logo from a home device. However, Reber teaches a method of displaying a graphical logo relating to a device onto a browser screen (Reber Figure 3; compare with claim 5). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the logo method of Reber to the list and button GUI of Venkatraman/Hanson, because of Reber's taught advantage of graphical logos, providing increased device recognizability to the method as taught by Venkatraman/Hanson.

In regard to dependent claim 7, Venkatraman teaches a user defined area (Venkatraman Figure 3). Venkatraman does not specifically teach a method of receiving a device logo from a home device. However, Reber teaches a method of displaying a graphical logo relating to a device onto a browser screen (Reber Figure 3; compare with claim 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the logo method of Reber to the list and button GUI of Venkatraman/Hanson, because of Reber's taught advantage of graphical logos, providing increased device recognizability to the method as taught by Venkatraman/Hanson.

Response to Arguments

9. Applicant's arguments filed 12/30/2002 have been fully and carefully considered but they are not persuasive.

Applicant argues on page 4 of the amendment that Hanson shows a GUI list of available printers, not a device link file that identifies home devices currently connected to a network. The examiner notes that showing printers that are available can be reasonably interpreted as currently connected. Additional support can be found in Hanson Figures 3, and 4, which shows an option for selection of available printers over a network. Figure 3 also shows a printer status button, providing a reasonable suggestion to the skilled artisan, current connectivity of devices, since a printer must be connected in order to ascertain its status (i.e. Figure 4, "IDLE").

Applicant additionally argues on page 4, and 5 of the amendment that Applicant's claimed device link file includes logical device names, as opposed to Hanson's cited teaching. The examiner notes that Hanson teaches a listing of available devices, each device comprising a logical name (i.e. HDE/Meister, HDE/Gerry). In additional support of the instant rejections, Venkatraman teaches a Printer Name "Portdv9", which can be reasonably interpreted as a logical device name. Since Venkatraman also teaches a dynamically updated Web page for devices, including control buttons for controlling device functions (Venkatraman column 3 lines 33-40), said Web page generally comprises an HTML file containing at least code for presentation, therefore, Hanson's object list file can be added to Venkatraman's HTML file and resulting page.

Applicant argues on page 5 of the amendment that the Office Action states that Venkatraman teaches autonomously generating a device link file. The examiner notes that the previous Office Action used this citing to teach the claim limitation of "*connected to the home network in an autonomous manner*". Nevertheless, the claims have been amended to recite "*generating a device link file in an autonomous manner*", which has been accordingly addressed in the instant rejections. In addition, Venkatraman teaches a dynamically updated Web page for devices, including control buttons for controlling device functions. As explained above, showing printers that are available can be reasonably interpreted as currently connected. Additional support can be found in Hanson Figures 3, and 4, which shows an option for selection of available printers over a network. Figure 3 also shows a printer status button, providing a reasonable suggestion to the skilled artisan, current connectivity of devices, since a printer must be connected in order to ascertain its status (i.e. Figure 4, "IDLE").

Applicant argues on page 5-6 of the amendment that the cited art of record does not teach determining location and availability of devices on a network. The examiner respectfully notes that the instant claims do not claim device locations, instead, current device connectivity and logical names appear to be claimed.

Applicant argues on page 6 of the amendment that Venkatraman does not teach a hypertext link associated with each device representation. The examiner notes that Venkatraman teaches links (Venkatraman column 5 lines 39-40), as well as links associated with a device on a Web page (Venkatraman Figure 3 items 66-68).

Applicant argues on page 7-8 of the amendment that there is no suggestion from either reference that they be combined or modified as proposed by the Office Action. The Examiner notes that Venkatraman teaches embedding Web access in an appliance for user interface functions utilizing a Web browser and Web page, for the purpose of accessing user interface functions through said page (Venkatraman Title and Abstract). Although Venkatraman does not specifically teach a device link file, Hanson teaches a dynamic device driver utilizing the Internet, and a WWW server, allowing for two-way communication between peripheral devices and an operating system (Hanson Figure 1 items 30, 36, also item WWW Server). Hanson teaches a status monitor object which displays a GUI object list (a device link file) of available devices (printers) for user selection (Hanson column 5 lines 35-43). In support of the Examiner's rejection, Hanson itemizes its devices via a presented list, providing Venkatraman with an itemized list of devices. This allows a user to easily see all connected devices.

Applicant argues on page 9 of the amendment that Hanson fails to teach "a session manager that determines the location and availability....in a dynamic fashion". The Examiner notes that Venkatraman teaches generating a Web page dynamically to reflect the updated state of the information pertaining to a device (Venkatraman column 3 lines 33-36). In addition, Hanson is used by the Examiner (regarding claim 1) to primarily teach a device link file as applied to identification of connected home devices. It is noted that Hanson teaches presentation of a list of available devices (printers) Hanson column 5 lines 35-42. Venkatraman teaches

Art Unit: 2176

location of devices (Venkatraman Figure 3 item Location Building 1U), and Hanson teaches Printer Status (Hanson Figure 3 item 61, also Figure 4).

Applicant argues on various pages of the amendment that the Office Action recognizes the advantages of the presently claimed invention by trying to make modifications in the cited art of record to teach Applicant's claimed limitations. Applicant also argues that said modifications produces advantages in favor of patentability because it proves that the new combination produces new and advantageous results. The Examiner notes that the combination of cited art as currently applied by the Examiner to Applicant's claimed limitations renders said limitations as obvious, as set forth by 35 U.S.C. 103(a).

Applicant argues on page 17 to 18 of the amendment that Reber does not teach the claimed limitations, and that there is no motivation to combine Reber with Venkatraman/Hanson. The Examiner notes that Venkatraman teaches a user defined area (Venkatraman Figure 3). Venkatraman does not specifically teach a method of receiving a device logo from a home device. However, Reber teaches a method of displaying a graphical logo relating to a device onto a browser screen (Reber Figure 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the logo method of Reber to the list and button GUI of Venkatraman/Hanson, because of Reber's taught advantage of graphical logos, providing increased device recognizability to the method as taught by Venkatraman/Hanson.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bashore whose telephone number is (703) 308-5807. The examiner can normally be reached on Monday through Friday from 11:30 AM to 8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186.

Art Unit: 2176

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

11. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7239 (for formal communications intended for entry)

or:


(703) 746-7240 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

or:

(703) 746-7238 (for after-final communications)

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Fourth Floor (Receptionist).**

William L. Bashore
March 09, 2003


STEPHEN S. HONG
PRIMARY EXAMINER